



Appeal Decision

Site visit made on 11 September 2025

by **M Cryan BA(Hons) DipTP MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st December 2025

Appeal Ref: APP/X5210/W/25/3368274

1 Spencer Rise, London NW5 1AR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
- The appeal is made by Katie Burton against the Council of the London Borough of Camden.
- The application reference is 2025/0846/P.
- The development proposed is the erection of a mansard roof with a roof light, two dormers at the front behind the existing parapet, aligned to the windows below and one dormer at the rear, centred to the elevation; retention of the existing V-shaped roof line at the rear.

Decision

1. The appeal is dismissed and planning permission for “the erection of a mansard roof with a roof light, two dormers at the front behind the existing parapet, aligned to the windows below and one dormer at the rear, centred to the elevation; retention of the existing V-shaped roof line at the rear” is refused.

Background and Main Issue

2. The Council had not determined the planning application before the appeal was lodged. Its appeal statement took the form of a draft officer report and decision which indicated that it would have refused permission.
3. The main issue is the effect of the proposed development on the character and appearance of the Dartmouth Park Conservation Area (“the DPCA”).

Reasons

4. No 1 Spencer Rise is a two-storey dwelling on the northern side of a residential street which rises steeply to the east of the appeal property. The proposed development is the addition of a mansard roof extension, with two dormers on the front elevation and one at the rear.
5. As the site is within the DPCA I have a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Heritage assets are irreplaceable, and the National Planning Policy Framework (“the Framework”) states that they should be conserved in a manner appropriate to their significance (paragraph 202). It goes on to advise that any harm or loss requires clear and convincing justification (paragraph 213) and that any harm that is less than substantial must be weighed against the public benefit of the proposal (paragraph 215).
6. The DPCA covers a large, primarily residential area, though with other uses (including community buildings such as schools and churches, and workshops and offices) interspersed throughout. The 2009 DPCA Appraisal and Management

Statement (“the AMS”) describes the area as having a variety and complexity that charts the history of domestic architecture from the late 18th century to the present day, and it is from this that the significance of the DPCA, insofar as it relates to this case, is principally derived.

7. The sub-area of the DPCA including the appeal site is described in the AMS as having a relatively informal character, with considerable variety in its buildings. Chetwynd Road, Spencer Rise and Churchill Road are identified as having small groups of buildings differentiated by subtle variations of style or height, but unified by common materials and detailing. Spencer Rise is highlighted as being “one of the few streets in the conservation area which is marred by isolated mansard roof additions which have made their host building too prominent”. Nevertheless, most of the buildings on the street – including the appeal property – are identified within the AMS as making a positive contribution to the character and appearance of the DPCA.
8. The AMS advises that “proposals for additional storeys will generally be resisted” but that exceptions “may be made on the south side of Spencer Rise where the majority of the buildings in a distinct group already have roof extensions and a mansard roof would infill a gap and reunite the group”. Roof extensions are also addressed in Policy DC4 of the Dartmouth Park Neighbourhood Plan (“the DPNP”), which was made in 2020; it states that small residential developments including roof extensions will be supported where they respect the existing roof form in terms of design, scale, materials and detail, and where they are restricted to the rear except where such extensions are part of the established local character.
9. The appeal property is, with Nos 3 and 5 to its east, part of a group of two-storey dwellings with butterfly roofs behind parapets; Nos 7 to 17 further east are similar in style but with a third storey¹. Nos 1A, 1B and 1C to the west of the appeal property have a different pitched-roof form. None of these properties has a mansard-type roof extension. While it appears that the proposed mansard extension would comply with the generic borough-wide guidelines for roof extensions in the Council’s 2021 *Design* Camden Planning Guidance, as it would not infill a gap within a group where a majority of buildings already have roof extensions it would not fall within the scope of the DPCA-specific advice in the AMS. It would introduce a roof extension into a long run of buildings on the north side of Spencer Rise which are not characterised by such developments; the mansard would be very visible in the streetscene, especially from the higher ground to the east, from where it would be perceived as a harmful and incongruous addition.
10. The appellant drew my attention to several other mansard-type roof extensions which have been permitted on Spencer Rise in recent years, including on the north side of the street at Nos 41 and 43², Nos 45 and 47³, and at No 27⁴; the last of these was under construction at the time of my site visit. These permissions were briefly addressed in the Council’s draft officer report, which noted they all complied with the criteria set out in Policy DC4 of the DPNP, and that the scheme at Nos 45 and 47 would infill a gap between No 43 and No 49, and so would not represent an

¹ The information before me is that No 11 has a flat, rather than butterfly, roof, but this was not visible to me from street level.

² LPA Ref: 2022/1286/P

³ LPA Ref: 2022/5290/P

⁴ LPA Ref: 2024/4806/P

isolated example of a mansard. The Council's decision notice in respect of No 27 noted the differences between the pre-existing roof profile or height of that property and its neighbours on both sides. In this case, however, the profile and height of the roof at No 1 mean that it forms a consistent group with Nos 3 and 5; this would be lost as a result of the proposed development, causing harm to the character of the area.

11. I have also had regard to a 2018 appeal decision relating to a proposed mansard roof extension at No 1⁵, though I have not seen the full details of that scheme. I note that the DPNP was made since that decision, and the developments described in the preceding paragraph have been granted planning permission. However, the site-specific circumstances of the appeal property, as well as the impacts of the proposed development, appear to me to be essentially unchanged since the 2018 appeal decision. None of the evidence which has been put before me therefore justifies my making a decision at odds with that reached by my predecessor.
12. For the reasons I have just set out, I conclude that the proposed development would be harmful to the character and appearance of the DPCA. It would therefore conflict with Policies D1 and D2 of the 2017 Camden Local Plan, and with Policies DC2, DC3 and DC4 of the DPNP. Together, and among other things, these policies seek to ensure that new development respects local character, preserves or enhances the historic environment and heritage assets, including the DPCA.
13. In the Framework's terms, the harm to the heritage asset would be less than substantial, and must therefore be weighed against the public benefits of the scheme. While I acknowledge that there would be private benefits to the appellant from being able to enlarge her home to accommodate a growing family, there are no public benefits arising which would outweigh the harm I have identified. The proposal would therefore also conflict with the provisions of the Framework which seek to conserve and enhance the historic environment.

Conclusion

14. The proposed development would be harmful to the character and appearance of the DPCA. This harm, which must be afforded great weight, is not outweighed by any public benefits of the scheme. The proposal would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan.
15. For the reasons given above, the appeal is therefore dismissed.

M Cryan

Inspector

⁵ PINS Ref: APP/X5210/D/18/3208293